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S/N 10/532,975

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mitani et al.	Examiner:	Bertagna, A
Serial No.:	10/532,975	Group Art Unit:	1637
Filed:	April 28, 2005	Docket No.:	20078.0005USWO
Title:	PROCESS FOR AMPLIFYING NUCLEIC ACIDS		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on November 15, 2007.

By: 

Name: Lauren Sindt

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioners, Riken, a corporation organized and existing under the laws of the Country of Japan and having their primary place of business at 2-1, Hirosawa, Wako-shi, Saitama-ken, Japan, and Kabushiki Kaisha DNAFORM, a corporation organized and existing under the laws of the Country of Japan and having their primary place of business at Leading Venture Plaza, 75-1, Ono-cho, Tsurumi-ku, Yokohama-shi, Kanagawa, Japan, through the undersigned attorney of record, represent that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/532,975 filed on April 28, 2005 and entitled PROCESS FOR AMPLIFYING NUCLEIC ACIDS ("present application"), by virtue of assignment recorded at Reel 017009, Frame(s) 0981, and hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of co-pending application with Serial No. 10/583706, filed on April 12, 2007, and entitled METHOD OF AMPLIFYING NUCLEIC ACID AND METHOD OF DETECTING MUTATED NUCLEIC ACID USING THE SAME ("co-pending application") as the term of any patent granted on said co-pending application is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said co-

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pending application is presently shortened by any terminal disclaimer. The owners hereby agree that any patent so granted on the present application 10/532,975 shall be enforceable only for and during such period that it and the patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantees, their successors or assigns.

In making the above disclaimer, Petitioners do not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certification, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Please charge Deposit Account No. 50-3478 in the amount of \$130.00 for the statutory disclaimer fee.



Dated: 11-15-07

Respectfully submitted,

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